

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

UNITED STATES OF AMERICA,

v.

Criminal Action No. 2:14cr49

DAVID R. FLYNN,

Defendant.

ORDER

This matter is before the Court pursuant to Local Rule 49 on Defendant's Motion to Seal Defendant's Medical/Psychological Report in Support of Sentencing, Doc. 39. Before this Court may seal documents, it must: "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives." Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000) (internal citations omitted).

In compliance with Local Rule 49 and Ashcraft, the Court has provided public notice of this motion by posting an appropriate Notice on the public docket board: "This serves as notice to the public that Defendant David R. Flynn has moved to file under seal Defendant's psychological report in Support of Sentencing. Objections to this Motion should be filed in the Criminal Section of the Clerk's Office. The Notice will be posted for a minimum of forty-eight (48) hours."

Based upon Defendant's Motion, the Court **FINDS** that no less drastic alternatives are feasible. Accordingly, the Court **GRANTS** Defendant's Motion, Doc. 39, and **ORDERS** that the report, Doc. 46, shall be maintained under seal by the Clerk, until further order of the Court.

The Clerk is **REQUESTED** to send a copy of this Order to all counsel of record.

It is so **ORDERED**.

/s/

Henry Coke Morgan, Jr.

Senior United States District Judge

HENRY COKE MORGAN, JR.

SENIOR UNITED STATES DISTRICT JUDGE

Norfolk, Virginia
December 15, 2014